

CITY OF MILFORD
REGULAR MEETING
JUNE 6, 2006
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 6th day of June 2006 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Dean Bruha, Rick Fortune, Terry Good, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken, City Clerk Jeanne Hoggins. Also present: H.L. (Pete) Peterson, Mark Frey and Nancy McGill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Plessel called the meeting to order at 7:30 p.m.

MINUTES: A motion was made by Fortune and seconded by Bruha to approve the minutes of the May 1, 2006 meeting. Roll call vote: Fortune yes, Bruha yes, Good yes, Neal yes. Motion carried.

PAYMENT OF BILLS AND BOND INTEREST: A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$76,024.93, bond interest of \$21,222.50 totaling \$97,247.43 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Fortune yes, Good yes. Motion carried.

SALARIES:

42346	Mark Frey	1259.95
42347	Forrest K Siebken	1212.88
42348	Jeanne M Hoggins	1179.98
42349	Gary Lee TeSelle	765.84
42350	Scott Dean Fosler	930.81
42351	Robert L Hull	787.56
42352	Beverly J Wehrs	436.05
42353	Edna A Riedl	381.53
42354	David R Dahle	875.51
42355	Louis J Bialas	905.49

42356	Arlene F Sieck	399.24
42357	Bryce C Johnson	802.37
42358	Philip Winkelmann	802.37
42359	George A Matzen	263.74
42360	Joshua S. Wiley	103.44
42361	Tracy L Yeackley	600.09
42362	Julia M Wang	62.06
42363	Kara Jacobsen	734.54
42364	Nicholas D Bernasek	222.68
42424	Mark Frey	1300.36
42425	Forrest K Siebken	1212.88
42426	Mavis Lynn Ferris	31.75
42427	Jeanne M Hoggins	1195.93
42428	Gary L TeSelle	1103.84
42429	Scott Dean Fosler	1091.78
42430	Robert L Hull	833.43
42431	Beverly J Wehrs	479.79
42432	Edna A Riedl	431.51
42433	David R Dahle	890.93
42434	Louis J Bialas	882.87
42435	Arlene F Sieck	349.02
42436	Bryce C Johnson	802.37
42437	Philip Winkelmann	802.37
42438	George A Matzen	184.16
42439	Joshua S Wiley	77.57
42440	Tracy L Yeackley	609.69
42441	Julia M Wang	103.44
42442	Kara Jacobsen	654.17
42443	Nicholas D Bernasek	416.73
42445	Joyce Elaine Plessel	184.70
42446	Ricky Gene Fortune	138.52
42447	Dean Alan Bruha	138.52
42448	Emerson L Neal	138.52
42449	David Terry Good	138.52
GENERAL FUND:		
42344	U.S. Postmaster – Utility Billing Postage	150.03
42345	Gerald Schweitzer – WA/SW Deposit Refund	50.00
42365	Ameritas – Pension	1474.62
42366	AFLAC – Dis,Cancer,Acc,Suppl	306.96
42367	Alltel – Directory Ad, Cell phone, Local	360.46
42368	Alltel – Long Distance	5.72
42369	Aramark – Pants & Rags	241.03

42370	Atco International – Galv-A-Guard	174.25
42371	Ameritas Life Ins. – Dental & Vision	1046.08
42372	Blue River League – Tourney Fees for Pee Wee	600.00
42373	Butch’s Welding – Tube, Pipe, Flat, Labor	362.89
42374	Centaur Enterprises – Hose Clamp, SLNT	29.73
42375	City of Milford – Start-up Cash for Pool	20.00
42376	Concrete Works – Time Capsule, Alley Approach	3948.00
42377	Culligan Water – Soft Water	19.00
42378	Farmers Cooperative – Gas & Diesel for April	1408.75
42379	D&D Communications – Supplies & Labor	219.00
42380	D.A.R.E. America – Supplies	88.56
42381	Deep Rock – Drinking Water	46.89
42382	Doubleday Book Club – 3 Books	17.53
42383	Eakes Office Plus – Ribbon, Copies, Paper	511.96
42384	Earl Carter Lumber – Supplies for Park Restroom	475.43
42385	Farm Plan – Bar Oil	7.00
42386	Garbage Co – Garbage Pickup	123.48
42387	Great Plains One-Call – Locates, Surcharges	33.44
42388	Healthplan Services – Health Ins.	6486.71
42389	IJ Janitorial Service – Scrub & Wax Basement Floor	209.75
42390	Johnson Service Co. – Clean & TV Sewer	1720.00
42391	Kiner Supply – PVC, reducer pvc	25.01
42392	Lincoln Winlectric – 9 Volt Batteries	60.64
42393	Lynn Peavey Company – Evidence Tape	67.80
42394	MARC – Foaming Root Canal	138.00
42395	Midwest Heating – Service A/C units @ Fire Hall	82.00
42396	Menard’s – 30 x 42 Procraft Vnyl	149.98
42397	Midwest Radar & Equip – 2 Radar Certificates	50.00
42398	Miller-Monroe – Add on new cruiser	62.00
42399	Moore Wallace – UCC Books	100.94
42400	Municipal Supply – Curb Stop, Coupling, Frt	548.71
42401	National Geographic – 1 Book	15.90
42402	State of Nebraska – Elevator Sprinkler Inspect	75.00
42403	NE Dept of Revenue – Sales Tax for April	1301.71
42404	NE Motor Parts – Hook, Booster, Ext Cord	182.06
42405	NPPD – Service For April	4072.23
42406	NT&T – Service for April	451.51
42407	NE Fire Sprinkler – Annual Inspections	209.00
42408	NE Code Consulting – 11 Inspections	430.00
42409	Office Depot – Wall File, Cartridge, pen refills	193.40
42410	Aquila – Service for April	256.90
42411	Pizza Kitchen – Thursday Meal	114.00

42412	Roxanne Roth – Cleaning Service	320.00
42413	Mrs Wayne Roth – Birthday Cake	18.00
42414	Sapp Bros – Mobil Delvac Oil	412.50
42415	Seward Electronics – Case Bees, Cable Ends, Battery	518.32
42416	Seward Co Ind. – Notices, Minutes, Umpire Ad	153.22
42417	SPPD – Wells 1 & 2	292.83
42418	Shell Fleet Plus – April Fuel	612.42
42419	Sister Act – Flowers for Barrel & Hanging Basket	43.89
42420	Sunrise Country Manor – April Meals	950.40
42421	Troyer Concrete – Concrete Work on Restroom	19944.00
42422	Tvrdy’s Lock & Key – Rekey Door	20.00
42423	Mildred Heyen – Table Decorations & Gifts	39.00
42444	Ameritas – Pension	1474.62
42450	Scott Bashore – Large Gear Bag	60.00
42451	VOID	
42452	Blevens Law Office – Legal Services	350.00
42453	Bonsall Pool Co – Pool Supplies	3.95
42454	BSN – Pitchers Plate Catchers Mitt	93.90
42455	CCP Industries – Ear Plugs, Dust Masks	93.56
42456	D&D Communications – Headsets, Labor	544.00
42457	Earl Carter Lumber – Roofing Supplies	1354.33
42458	Fort Dearborn Life Ins – Life Ins.	113.52
42459	Gaylord Bros – Borrowers Register Sheet	42.09
42460	Gerhold Concrete – Concrete, Tax	37.28
42461	Derek Grauel – Umpire 2 games	50.00
42462	Heartsong Presents – 4 Books	10.99
42463	Hawkins Water Treatment – Chlor Sticks, Tablets	1097.50
42464	Heiman Fire Equip – Silvex, Valve, Bore, Ball Valve	939.51
42465	Ingram Library – Books	630.89
42466	Kara Jacobsen – Mileage as of 5-31-06	48.95
42467	Junior Library Guild – 53 Books	547.60
42468	Jim Krause – 12 Games	360.00
42469	Lynn Peavey Co – Evidence Collection Supplies	130.95
42470	MPS – 3 Yr Subscription	64.99
42471	Milford A/C & Appliance – Belt, Labor	44.00
42472	Milford Plumbing – Labor on New Restroom	8547.04
42473	Milford School Dist – Parking Fines, Tobacco Lic	385.00
42474	Milford Supermarket – Toilet Paper	5.00
42475	VOID	
42476	Midtown Holiday Inn – Fire School Lodging	849.50
42477	Brett Muller – Umpire 1 Game	25.00
42478	Municipal Supply – EM2 65-56	90.00

42479	Mutual of Omaha – Disability Ins.	79.33
42480	Nebraska Health Lab – Phase II, Coliform	123.00
42481	Northside Winlectric – Electrical Supp. Concess. Stand	812.98
42482	Office Depot – Keyboard Slide, Monitor	332.32
42483	Organic Gardening - 1 Yr. Subscription	23.96
42484	Orschelns – Trim Roller Brushes	6.37
42485	Plains Power & Equip – Chain Saw, Chain	723.88
42486	Regent Book Co – Books	573.39
42487	Edna Riedl – Mileage to Training, Books	105.38
42488	Dash Rohan – Umpire 8 Games	200.00
42489	Brandon Roth – Umpire 1 Game	25.00
42490	Randy Roth – Umpire 1 Game	25.00
42491	Roxanne Roth – Cleaning Services	225.00
42492	Sack Lumber Co – Plywood	419.70
42493	Schmader Electric – Siren Maintenance	350.00
42494	Super Spray Car Wash – Car Wash Tokens	100.00
42495	Troyer Concrete – Concrete Step @ Pool	950.00
42496	Union Bank – Gary TeSelle Acct	300.00
42497	Walmart – Windex, Film, DVD/VCR, Electric Skillet	304.19
42498	Wergins Lawn Service – Fert B St & Sr Center	43.00
42499	Zep Mfg – Gasket	71.62
42500	Anthony Jacobsen – Umpire 1 Game	25.00
42501	My Early Dakota Prairie Life – 3 Books	38.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Planning and Zoning Commission minutes for May 11, 2006; Library Board minutes from April 20, 2006 and May 18, 2006; Milford Aging Services Commission minutes for April 25, 2006 and the Police Dept. Activity Report for May 2006. Frey – roof and electrical work is completed on the concession stand, still waiting for the restroom dividers and hand dryers. Bruha visited with Max Wake, President of Jones Bank to review the drainage study completed by Jones Bank engineers. Bruha noted that majority of the drainage is coming from the storage unit area. Good – Legion did some work at the cemetery. Frey commented that they are still trying to straighten stones on an annual basis. Plessel noted that she received complements on the appearance of the cemetery this Memorial Day weekend. Chief Siebken presented the May 2006 Police Report. The building committee has not met but a quote has been received to complete the structural study of City Hall. Chief Siebken will have a report at the July meeting. The NARSIS and Fire Reports for April and May 2006 were submitted.

COMMUNICATIONS: *Sales tax received for the month of March 2006 was \$11,815.62. *NPPD lease payment received for the 1st quarter of 2006

in the amount of \$29,307.33. *NT & T Occupation Tax from April '05 to March '06 received in the amount of \$842.78. *Aquila annual Franchise Tax received in the amount of \$21,399.47. *Thank You's received from Webermeier Scholarship recipients, Travis Johnson and Rachel Weber. *Thank you received from Farmers and Merchants Bank on the improvements to the east entrance of the alley on "B" Street between 1st and 2nd. *Bruha will not be able to attend the July meeting. *There will not be a Planning and Zoning meeting on June 8, 2006.

Larry Jantze arrived.

UNFINISHED BUSINESS:

Introduction and Adoption of Ordinance – Sex Offender Residence Restriction: Council member Bruha introduced the following Ordinance:

ORDINANCE NO. 778

AN ORDINANCE TO ADOPT SEXUAL PREDATOR RESIDENCY RESTRICTIONS; TO PROHIBIT CERTAIN PERSONS SUBJECT TO THE SEX OFFENDER REGISTRATION ACT AND DEFINED AS SEXUAL PREDATORS FROM RESIDING IN CERTAIN AREAS WITHIN THE CITY/VILLAGE; TO ESTABLISH PENALTIES FOR A VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE. (See Ordinance Record)

NEW BUSINESS:

Final Plat Jantze Thornridge Phase III: Larry Jantze presented the Final Plat for Jantze Thornridge Phase III which had already been approved by the Planning & Zoning. Discussion was held on the following matters: 10" water line runs behind (north of) lots 37, 38 and 39 which causes a front yard setback change to 15'. Covenant requirements – no brick requirements on homes on 6th Street, 50% brick requirement on the face of homes along 7th Street. 6th Street homes allow a storage shed in the back yard as long as they have the same appearance as the home. Extensive discussion was held regarding the size of the lots along 6th Street. The subdivision is zoned R1 and the lot sizes do not meet the standards of R1 zoning. The comprehensive plan states a 10,000 sq. ft lot for R1 and 6,000 sq. ft for lots in R2. The lots along 6th Street in the Thornridge addition of Phase III are roughly around 8,000 sq. ft. Blevens noted that it would not be appropriate to approve a plat that is in violation of the zoning codes. Discussion was held regarding changing the sq. foot requirements in the comprehensive plan for R1 or adopt the verbiage of the proposed comprehensive plan allowing a waiver. A special meeting will be held Monday, June 12, 2006 to allow Larry Jantze's engineering firm a chance to explain why the lots do not meet the zoning requirements.

Contract – Jantze Thornridge Phase III: Item will be tabled to the June 12, 2006 special meeting.

Sidewalk Concern Hwy 6, 100 block north and 100 block to 400 block south: Chief Siebken presented an issue of pedestrian safety in the area south of 1st St. to the Educational Service Unit. Approximately 24 individuals were counted using this area during the morning hours. The individuals are crossing in the middle of the block near the Mini Mart area. A sidewalk along the west side of Hwy 6 and educating the public seemed to be the solution to this safety problem. The Council would like Bruha to get an estimated cost and present it at the time of budget prep.

Update & Adopt current Electrical Code for State of NE Electrical Board: Council member Bruha introduced the following ordinance:

ORDINANCE NO. 779

AN ORDINANCE TO AMEND ARTICLE 5, SECTION 9-501 OF THE MUNICIPAL CODE TO ADOPT THE NATIONAL ELECTRICAL CODE, 2005 EDITION, AND ALL AMENDMENTS THERETO AS THE MINIMUM STANDARD FOR THE INSTALLATION OF ALL ELECTRICAL APPARATUS, WIRING, DEVICES AND EQUIPMENT WITHIN THE MUNICIPALITY AND ITS ZONING JURISDICTION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT. (See Ordinance Record)

Water Rates – Mark Frey, Rick Fortune: Fortune introduced the suggested rate of increase of \$9.00 per month plus \$1.40 per 1,000 gallons of water used on a ¾ “ service line. The current rate is \$8.00 per month plus \$1.24 per 1,000 gallons of water used for a ¾ “ service line. The increase would put Milford approximately in the middle of the pack for rates in Nebraska. Fortune has some concerns that need to be addressed before approving any rate changes. He asked this item to be tabled until the July meeting.

Pete Peterson – Waste Management: Mr. Peterson presented his concerns with the future development of the landfill south of town. He noted several violations that DEQ had assessed to the landfill along with the fact that there is no height limits to the current landfill. Mr. Peterson asked the Council to form a resolution stating that they are against any expansion of the landfill. He is asking the Council to back the citizens of Milford. This item will be placed on the June 12, 2006 special meeting agenda.

Kiwanis – Update on Park Equipment: Item not needed.

Executive Session – Real Estate: A motion was made by Bruha and seconded by Fortune to go into Executive Session. Roll call vote: Bruha yes, Fortune yes, Good yes, Neal yes. Motion carried and Council adjourned from regular session at 9:45 pm. A motion was made by Fortune

and seconded by Neal to return to regular session. Roll call vote: Fortune yes, Neal yes, Bruha yes, Good yes. Motion carried and Council returned to regular session at 9:58 pm.

ADJOURNMENT: A motion was made by Good and seconded by Neal to adjourn the meeting. Roll call vote: Good yes, Neal yes, Bruha yes, Fortune yes. Motion carried and meeting adjourned at 9:59 pm.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on June 6, 2006 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk